



Report to the Auburn City Council

Agenda Item No. 12

City Manager's Approval

To: Mayor and City Council Members
From: Jennifer A. Solomon, Code Enforcement Officer
Date: May 14, 2012
Subject: Non Payment of Administrative Citations, Authority to Assess Tax Roll

The Issue

Shall the City of Auburn recover administrative citation fines by placement on the Tax Roll Assessment?

Conclusions and Recommendation

Staff recommends that the City Council, by resolution, approve the Tax Roll Assessment for Administrative Citation's report and direct the City Clerk to file a certified copy of the report with the Placer County Auditor-Controller in order to collect.

Background

The enforcement of the Auburn Municipal Code authorizes staff to issue administrative citations in cases of non-compliance. The cited individual has the right to appeal the citation. In each of the cases attached herein, the citations were not appealed. When administrative citations have not been paid, Auburn Municipal Code Section 10.96 allows staff to pursue any and all legal equitable remedies for the collection of delinquent fines (i.e. recorded as a lien; as a special assessment; or other means of collecting (collection agency)). This action is the result of such non-payment.

A total of five (5) parcels have enforcement fines which are presently delinquent for a total of \$3,531.00, including late fees and interest (see Attachment 6 - Exhibit A). Attachments 1-5 are the proposed resolutions which will authorize the City of Auburn to assess each property owner by placing the cost of the fine(s) directly onto the individual property owner(s) tax roll. Attachment 6 is the resolution required by the Placer County Auditor-Controller's Office as authorization to collect charges. These actions are required by the City Council to proceed forward for collection.

As you may recall, staff was before you last year regarding tax roll assessments for non payment of Administrative Citation's. Provide below is a summary of each case (does not include all communication with the owner), timeline and amount due for each property:

1. **267 Live Oak Street** - On September 23, 2011, Auburn City Fire Department was attempting to place a warning notice on the front door of 267 Live Oak Street. However, they became concerned for their safety due to a hole in the landing area at the entry. On October 3, 2011, a letter was sent to the property owner advising him of the violations and a timeframe for compliance. A "Danger" notice and caution tape was posted at the vacant property to warn the public. On October 27, 2011, staff noticed some improvements had been made but without the benefit of a building permit. A "Stop Work Order" was posted and a citation was issued. The citation was not appealed or paid. With the late fees and interest, the total due is \$353.10.
2. **105 Terrace Street** - On February 9, 2011, staff received a complaint regarding debris and vehicles at 105 Terrace Street. On March 14, 2011, a letter was sent to the property owner advising of the violations and a timeframe for compliance. The owner had requested an extension for the cleanup and staff agreed. On May 16, 2011, a citation was issued for non compliance. On June 11, 2011, staff received another complaint and second citation was issued for non compliance. The citations were never appealed or paid. With late fees and interest, the total due is \$353.10.
3. **568 Sawka Drive** - On June 29, 2011, staff received a complaint regarding trash accumulation at 568 Sawka Drive. Prior to this date (2009 & 2010), staff had received other complaints regarding trash accumulation at this address. Staff sent letters and citations to the owner. The owner would establish trash service with Recology Auburn Placer but service would be shut off or the trash wasn't placed at the curb for pickup. On August 9, 2011, a citation was issued for non compliance. The citation was not appealed or paid. With late fees and interest, the total due is \$588.50.
4. **505 Barooshian Court** - On March 17, 2011, staff received a complaint regarding debris in the back yard and trash accumulation at 505 Barooshian Court. On March 21, 2011, a letter was sent to the property owner advising of the violations and a timeframe for compliance. On April 4, 2011 and May 9, 2011, citations were issued for non compliance. The citations were not appealed or paid. With late fees and interest, the total due is \$353.10.
5. **203 Electric Street** - On August 31, 2009, staff received a complaint regarding several substandard violations at the Sterling Ridge Apartments (203, 205, 207 Electric Street). Staff met with the property owner and property manager on September 14, 2009 to review the condition of the property, and issued a follow up letter to the property owner on September 21, 2009 outlining the violations and timeframe for compliance. Over the past two-and-a-half years, the owner rectified all of the violations, with the exception of substandard stairways to several units. The owner attempted to bring the stairways into compliance, but that work was done without valid permits, did not call for inspections and is not code-compliant. In an effort to gain compliance and keep the property on track for completion, staff has met with the property owner on multiple occasions and has provided the owner with numerous correspondences. To date, compliance is still outstanding. Staff issued multiple citations on this issue; these outstanding citations were not appealed or paid. With late fees and interest, the total due is \$1883.20.

Alternatives Available to Council; Implications of Alternatives

1. Adopt the resolutions.
2. Modify the resolutions; direct staff to collect fines in another manner (record a lien or send to Placer Creditors Bureau).
3. Take no action, administrative fines will not be placed on the tax rolls.

Fiscal Impact

The fine amount collected from the City Council action will reimburse the general fund for administrative enforcement. Actual reimbursement will not occur until the 2012/2013 Fiscal Year.

Attached

Attachment 1 – Resolution for Non Payment of Administrative Citations – 267 Live Oak Street
Attachment 2 – Resolution for Non Payment of Administrative Citations – 105 Terrace Street
Attachment 3 – Resolution for Non Payment of Administrative Citations – 568 Sawka Drive
Attachment 4 – Resolution for Non Payment of Administrative Citations – 505 Barooshian Court
Attachment 5 – Resolution for Non Payment of Administrative Citations – 203, 205, 207 Electric Street
Attachment 6 – Resolution Confirming Non-Payment of Administrative Citations
Attachment 7 - Resolution to Placer County for Collection of Charges

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN CONFIRMING
A REPORT FOR NON-PAYMENT OF ADMINISTRATIVE CITATIONS AND ORDERING
THE ASSESSMENT OF SUCH COSTS – 267 LIVE OAK STREET

WHEREAS, Chapter 12.5, part 1, Division 2, Title 5 of the California
Government Code, (Government Code Section 54988) authorizes the City
Council to proceed and collect the penalty pursuant to the procedures set forth
in its ordinance; and

WHEREAS, Section 10.96 of the Auburn Municipal Code authorizes the City to
collect delinquent fines and penalties; and

WHEREAS, the responsible party at 267 Live Oak Street (APN 001-150-015-
000) was cited for Building Code violations; and

WHEREAS, the responsible party was duly informed of their right to appeal the
citation; and

WHEREAS, the responsible party did not appeal the citation; and

WHEREAS, the responsible party was sent a past due notice regarding the
delinquent citation, late fee and interest; and

WHEREAS, this action is the result of such non-payment; and

WHEREAS, delinquent fines may be recorded as a lien pursuant to Section
10.96 of the Auburn Municipal Code; and

1
2
3 WHEREAS, the responsible party has been properly notified of the time and
4 place of the hearing by mail; and

5
6 WHEREAS, a copy of the Report is on file in the Office of the City Clerk and
7 incorporated herein by reference; and

8
9 WHEREAS, a copy of the Report, with a notice of the time of the Hearing was
10 posted on or near the chamber door of the City Council for at least three days
11 prior to the Hearing; and

12
13 WHEREAS, on the date of the adoption of this Resolution, the City Council held
14 a public hearing at Council Chambers, City Hall, 1225 Lincoln Way, the time
15 and place fixed in such notice, at which the responsible party had an
16 opportunity to present the City Council with objections to the assessments
17 described in the Report (the "Hearing"); and

18
19 WHEREAS, all such persons desiring to be heard have been heard by the City
20 Council and the City Council is fully informed of the premises; now therefore,

21
22 **THE CITY COUNCIL OF THE CITY OF AUBURN DOES RESOLVE AS**
23 **FOLLOWS:**

24
25 SECTION 1: The foregoing recitals are each true and correct.

26
27 SECTION 2: The City Council overrules any objections and confirms the
28 Report as submitted.

1 SECTION 3: The City Council confirms the assessment of \$353.10 against
2 the responsible party at 267 Live Oak Street (APN 001-150-015-000), and
3 orders that the assessment be transmitted to the County of Placer for
4 collection at the same time and in the same manner as ordinary municipal
5 taxes.

6
7 SECTION 4: The City Clerk is directed to record in the office of the County
8 Recorder notice of this order confirming the assessment.

9
10 PASSED, APPROVED AND ADOPTED this ____ of _____ 2012.

11
12 _____
13 Keith Nesbitt, Mayor
14

15 ATTEST:

16
17 _____
18 Joseph G. R. Labrie, City Clerk
19

20 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
21 that the foregoing resolution was duly passed at the regular meeting of the
22 City Council of the City of Auburn held on the ____ of _____ 2012 by the
23 following vote on roll call:

24
25 Ayes:

26 Noes:

27 Absent:

28 _____
Joseph G. R. Labrie, City Clerk

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN CONFIRMING
A REPORT FOR NON-PAYMENT OF ADMINISTATIVE CITATIONS AND ORDERING
THE ASSESSMENT OF SUCH COSTS – 105 TERRACE STREET

WHEREAS, Chapter 12.5, part 1, Division 2, Title 5 of the California
Government Code, (Government Code Section 54988) authorizes the City
Council to proceed and collect the penalty pursuant to the procedures set forth
in its ordinance; and

WHEREAS, Section 10.96 of the Auburn Municipal Code authorizes the City to
collect delinquent fines and penalties; and

WHEREAS, the responsible party at 105 Terrace Street (APN 004-081-014-
000) was cited for a Nuisance violation; and

WHEREAS, the responsible party was duly informed of their right to appeal the
citation; and

WHEREAS, the responsible party did not appeal the citation; and

WHEREAS, the responsible party was sent a past due notice regarding the
delinquent citation, late fee and interest; and

WHEREAS, this action is the result of such non-payment; and

WHEREAS, delinquent fines may be recorded as a lien pursuant to Section
10.96 of the Auburn Municipal Code; and

1
2
3 WHEREAS, the responsible party has been properly notified of the time and
4 place of the hearing by mail; and

5
6 WHEREAS, a copy of the Report is on file in the Office of the City Clerk and
7 incorporated herein by reference; and

8
9 WHEREAS, a copy of the Report, with a notice of the time of the Hearing was
10 posted on or near the chamber door of the City Council for at least three days
11 prior to the Hearing; and

12
13 WHEREAS, on the date of the adoption of this Resolution, the City Council held
14 a public hearing at Council Chambers, City Hall, 1225 Lincoln Way, the time
15 and place fixed in such notice, at which the responsible party had an
16 opportunity to present the City Council with objections to the assessments
17 described in the Report (the "Hearing"); and

18
19 WHEREAS, all such persons desiring to be heard have been heard by the City
20 Council and the City Council is fully informed of the premises; now therefore,

21
22 **THE CITY COUNCIL OF THE CITY OF AUBURN DOES RESOLVE AS**
23 **FOLLOWS:**

24
25 SECTION 1: The foregoing recitals are each true and correct.

26
27 SECTION 2: The City Council overrules any objections and confirms the
28 Report as submitted.

1 SECTION 3: The City Council confirms the assessment of \$353.10 against
2 the responsible party at 105 Terrace Street (APN 004-081-014-000), and
3 orders that the assessment be transmitted to the County of Placer for
4 collection at the same time and in the same manner as ordinary municipal
5 taxes.

6
7 SECTION 4: The City Clerk is directed to record in the office of the County
8 Recorder notice of this order confirming the assessment.

9
10 PASSED, APPROVED AND ADOPTED this ____ of _____ 2012.

11
12 _____
13 Keith Nesbitt, Mayor
14

15 ATTEST:

16
17 _____
18 Joseph G. R. Labrie, City Clerk
19

20 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
21 that the foregoing resolution was duly passed at the regular meeting of the
22 City Council of the City of Auburn held on the ____ of _____ 2012 by the
23 following vote on roll call:

24
25 Ayes:

26 Noes:

27 Absent:

28 _____
Joseph G. R. Labrie, City Clerk

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN CONFIRMING
A REPORT FOR NON-PAYMENT OF ADMINISTATIVE CITATIONS AND ORDERING
THE ASSESSMENT OF SUCH COSTS - 568 SAWKA DRIVE

WHEREAS, Chapter 12.5, part 1, Division 2, Title 5 of the California
Government Code, (Government Code Section 54988) authorizes the City
Council to proceed and collect the penalty pursuant to the procedures set forth
in its ordinance; and

WHEREAS, Section 10.96 of the Auburn Municipal Code authorizes the City to
collect delinquent fines and penalties; and

WHEREAS, the responsible party at 568 Sawka Drive (APN 040-542-005-000)
was cited for a Garbage Collection violation; and

WHEREAS, the responsible party was duly informed of their right to appeal the
citation; and

WHEREAS, the responsible party did not appeal the citation; and

WHEREAS, the responsible party was sent a past due notice regarding the
delinquent citation, late fee and interest; and

WHEREAS, this action is the result of such non-payment; and

WHEREAS, delinquent fines may be recorded as a lien pursuant to Section
10.96 of the Auburn Municipal Code; and

1
2 WHEREAS, the responsible party has been properly notified of the time and
3 place of the hearing by mail; and
4

5 WHEREAS, a copy of the Report is on file in the Office of the City Clerk and
6 incorporated herein by reference; and
7

8 WHEREAS, a copy of the Report, with a notice of the time of the Hearing was
9 posted on or near the chamber door of the City Council for at least three days
10 prior to the Hearing; and
11

12 WHEREAS, on the date of the adoption of this Resolution, the City Council held
13 a public hearing at Council Chambers, City Hall, 1225 Lincoln Way, the time
14 and place fixed in such notice, at which the responsible party had an
15 opportunity to present the City Council with objections to the assessments
16 described in the Report (the "Hearing"); and
17

18 WHEREAS, all such persons desiring to be heard have been heard by the City
19 Council and the City Council is fully informed of the premises; now therefore,
20

21 **THE CITY COUNCIL OF THE CITY OF AUBURN DOES RESOLVE AS**
22 **FOLLOWS:**
23

24 SECTION 1: The foregoing recitals are each true and correct.
25

26 SECTION 2: The City Council overrules any objections and confirms the
27 Report as submitted.
28

1 SECTION 3: The City Council confirms the assessment of \$588.50 against
2 the responsible party at 568 Sawka Drive (APN 040-542-005-000), and orders
3 that the assessment be transmitted to the County of Placer for collection at the
4 same time and in the same manner as ordinary municipal taxes.

5
6 SECTION 4: The City Clerk is directed to record in the office of the County
7 Recorder notice of this order confirming the assessment.

8
9 PASSED, APPROVED AND ADOPTED this ____ of _____ 2012.

10
11 _____
12 Keith Nesbitt, Mayor
13

14 ATTEST:

15
16 _____
17 Joseph G. R. Labrie, City Clerk
18

19 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
20 that the foregoing resolution was duly passed at the regular meeting of the
21 City Council of the City of Auburn held on the ____ of _____ 2012 by the
22 following vote on roll call:

23
24 Ayes:

25 Noes:

26 Absent:

27
28 _____
Joseph G. R. Labrie, City Clerk

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN CONFIRMING
A REPORT FOR NON-PAYMENT OF ADMINISTRATIVE CITATIONS AND ORDERING
THE ASSESSMENT OF SUCH COSTS – 505 BAROOSHIAN COURT

WHEREAS, Chapter 12.5, part 1, Division 2, Title 5 of the California
Government Code, (Government Code Section 54988) authorizes the City
Council to proceed and collect the penalty pursuant to the procedures set forth
in its ordinance; and

WHEREAS, Section 10.96 of the Auburn Municipal Code authorizes the City to
collect delinquent fines and penalties; and

WHEREAS, the responsible party at 505 Barooshian Court (APN 054-460-038-
000) was cited for Garbage Collection violation; and

WHEREAS, the responsible party was duly informed of their right to appeal the
citation; and

WHEREAS, the responsible party did not appeal the citation; and

WHEREAS, the responsible party was sent a past due notice regarding the
delinquent citation, late fee and interest; and

WHEREAS, this action is the result of such non-payment; and

WHEREAS, delinquent fines may be recorded as a lien pursuant to Section
10.96 of the Auburn Municipal Code; and

1
2 WHEREAS, the responsible party has been properly notified of the time and
3 place of the hearing by mail; and
4

5 WHEREAS, a copy of the Report is on file in the Office of the City Clerk and
6 incorporated herein by reference; and
7

8 WHEREAS, a copy of the Report, with a notice of the time of the Hearing was
9 posted on or near the chamber door of the City Council for at least three days
10 prior to the Hearing; and
11

12 WHEREAS, on the date of the adoption of this Resolution, the City Council held
13 a public hearing at Council Chambers, City Hall, 1225 Lincoln Way, the time
14 and place fixed in such notice, at which the responsible party had an
15 opportunity to present the City Council with objections to the assessments
16 described in the Report (the "Hearing"); and
17

18 WHEREAS, all such persons desiring to be heard have been heard by the City
19 Council and the City Council is fully informed of the premises; now therefore,
20

21 **THE CITY COUNCIL OF THE CITY OF AUBURN DOES RESOLVE AS**
22 **FOLLOWS:**
23

24 SECTION 1: The foregoing recitals are each true and correct.
25

26 SECTION 2: The City Council overrules any objections and confirms the
27 Report as submitted.
28

1 SECTION 3: The City Council confirms the assessment of \$353.10 against
2 the responsible party at 505 Barooshian Court (APN 054-460-038-000), and
3 orders that the assessment be transmitted to the County of Placer for
4 collection at the same time and in the same manner as ordinary municipal
5 taxes.

6
7 SECTION 4: The City Clerk is directed to record in the office of the County
8 Recorder notice of this order confirming the assessment.

9
10 PASSED, APPROVED AND ADOPTED this ____ of _____ 2012.

11
12 _____
13 Keith Nesbitt, Mayor
14

15 ATTEST:

16
17 _____
18 Joseph G. R. Labrie, City Clerk
19

20 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
21 that the foregoing resolution was duly passed at the regular meeting of the
22 City Council of the City of Auburn held on the ____ of _____ 2012 by the
23 following vote on roll call:

24
25 Ayes:

26 Noes:

27 Absent:

28 _____
Joseph G. R. Labrie, City Clerk

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN CONFIRMING
A REPORT FOR NON-PAYMENT OF ADMINISTRATIVE CITATIONS AND ORDERING
THE ASSESSMENT OF SUCH COSTS – 203,205,207 ELECTRIC STREET

WHEREAS, Chapter 12.5, part 1, Division 2, Title 5 of the California
Government Code, (Government Code Section 54988) authorizes the City
Council to proceed and collect the penalty pursuant to the procedures set forth
in its ordinance; and

WHEREAS, Section 10.96 of the Auburn Municipal Code authorizes the City to
collect delinquent fines and penalties; and

WHEREAS, the responsible party at 203,205,207 Electric Street (APN 003-032-
047-000) was cited for a Building Code violation; and

WHEREAS, the responsible party was duly informed of their right to appeal the
citation; and

WHEREAS, the responsible party did not appeal the citation; and

WHEREAS, the responsible party was sent a past due notice regarding the
delinquent citation, late fee and interest; and

WHEREAS, this action is the result of such non-payment; and

WHEREAS, delinquent fines may be recorded as a lien pursuant to Section
10.96 of the Auburn Municipal Code; and

1
2 WHEREAS, the responsible party has been properly notified of the time and
3 place of the hearing by mail; and
4

5 WHEREAS, a copy of the Report is on file in the Office of the City Clerk and
6 incorporated herein by reference; and
7

8 WHEREAS, a copy of the Report, with a notice of the time of the Hearing was
9 posted on or near the chamber door of the City Council for at least three days
10 prior to the Hearing; and
11

12 WHEREAS, on the date of the adoption of this Resolution, the City Council held
13 a public hearing at Council Chambers, City Hall, 1225 Lincoln Way, the time
14 and place fixed in such notice, at which the responsible party had an
15 opportunity to present the City Council with objections to the assessments
16 described in the Report (the "Hearing"); and
17

18 WHEREAS, all such persons desiring to be heard have been heard by the City
19 Council and the City Council is fully informed of the premises; now therefore,
20

21 **THE CITY COUNCIL OF THE CITY OF AUBURN DOES RESOLVE AS**
22 **FOLLOWS:**
23

24 SECTION 1: The foregoing recitals are each true and correct.
25

26 SECTION 2: The City Council overrules any objections and confirms the
27 Report as submitted.
28

1 SECTION 3: The City Council confirms the assessment of \$1,883.20
2 against the responsible party at 203,205,207 Electric Street (APN 003-032-
3 047-000), and orders that the assessment be transmitted to the County of
4 Placer for collection at the same time and in the same manner as ordinary
5 municipal taxes.

6
7 SECTION 4: The City Clerk is directed to record in the office of the County
8 Recorder notice of this order confirming the assessment.

9
10 PASSED, APPROVED AND ADOPTED this ____ of _____ 2012.

11
12 _____
13 Keith Nesbitt, Mayor
14

15 ATTEST:

16
17 _____
18 Joseph G. R. Labrie, City Clerk
19

20 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
21 that the foregoing resolution was duly passed at the regular meeting of the
22 City Council of the City of Auburn held on the ____ of _____ 2012 by the
23 following vote on roll call:

24
25 Ayes:

26 Noes:

27 Absent:

28 _____
Joseph G. R. Labrie, City Clerk

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN
CONFIRMING A REPORT FOR NON PAYMENT OF ADMINISTRATIVE
CITATIONS AND ORDERING THE ASSESSMENT OF SUCH COSTS

WHEREAS, Article, Chapter, part, Division, Title of the California Government Code, (Government Code Section 53069.4(3)d) authorizes the City Council to proceed and collect the penalty pursuant to the procedures set forth in its ordinance; and

WHEREAS, the cited individual has the right to appeal a citation; and

WHEREAS, the cited individual has not appealed any citation; and

WHEREAS, the delinquent fines may be recorded as a lien; and

WHEREAS, this action is the result of such non-payment and attached in Exhibit A; and

WHEREAS, the cited individuals were sent past due noticed regarding the delinquent citations, late fees and interest; and

WHEREAS, a copy of the Report is on file in the Office of the City Clerk and incorporated herein by reference; and

WHEREAS, a copy of the Public Hearing was mailed First Class and Certified to the cited individuals on April 30, 2012; and

WHEREAS, a copy of the Report, with a notice of the time of the Hearing was posted on or near the chamber door of the City Council for at least three days prior to the Hearing; and

WHEREAS, on the date of the adoption of this Resolution, the City Council held a public hearing at which the owners of each of the Parcels had an opportunity to present the City Council with objections to the assessments described in the Report (the "Hearing"); now therefore,

**THE CITY COUNCIL OF THE CITY OF AUBURN DOES RESOLVE AS
FOLLOWS:**

SECTION 1: The foregoing recitals are each true and correct.

SECTION 2: The City Council overrules any objections and confirms the Report as submitted.

SECTION 3: The City Council confirms the assessments against each of the parcels as shown on Exhibit A, hereto, and orders that the assessments be transmitted to

the County of Placer for collection at the same time and in the same manner as ordinary municipal taxes.

SECTION 4: The City Clerk is directed to record in the office of the County Recorder notice of this order confirming the assessment.

PASSED, APPROVED AND ADOPTED this ____ of _____ 2012.

Keith Nesbitt, Mayor

ATTEST:

Joseph G. R. Labrie, City Clerk

I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify that the foregoing resolution was duly passed at the regular meeting of the City Council of the City of Auburn held on the ____ of _____ 2012 by the following vote on roll call:

Ayes:

Noes:

Absent:

Joseph G. R. Labrie, City Clerk

Tax Roll Assessment for
Administrative Citation(s)

Exhibit "A"

APN	SITE ADDRESS	VIOLATION	TOTAL FINE DUE	TAX CODE AREA	DISTRICT
001-150-015-000	267 Live Oak Street	Building Code	\$353.10	60701	Auburn City
004-081-014-000	105 Terrace Street	Nuisance	\$353.10	60701	Auburn City
040-542-005-000	568 Sawka Drive	Garbage	\$588.50	60701	Auburn City
054-460-038-000	505 Barooshian Court	Garbage	\$353.10	60701	Auburn City
003-032-047-000	203,205,207 Electric Street	Building Code	\$1,883.20	60701	Auburn City
TOTALS			\$3,531.00		

RESOLUTION NO.

REQUESTING COLLECTION OF CHARGES ON THE 2012/2013 TAX ROLL
FOR THE CITY OF AUBURN- NON PAYMENT OF ADMINISTRATIVE
CITATIONS

TAX CODE NUMBER

60701

DIRECT CHARGE NAME:

NON PAYMENT OF ADMINISTRATIVE
CITATIONS

Whereas, the City of Auburn (hereinafter "District/City") requests the County of Placer collect on the County tax rolls certain charges which have been imposed pursuant to section 39574 of the Government Code and Auburn Municipal Code Chapter 10 by the District/City, attached hereto, and

Whereas, the County has required as a condition of the collection of said charges that the District/City warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof,

Now, Therefore, Be It Hereby Resolved by the Board/Council of District/City that:

1. The Auditor-Controller of Placer County is requested to attach for collection on the County tax rolls those taxes, assessments, fees and/or charges, attached hereto.
2. The District/City warrants and represents that the taxes, assessments, fees and/or charges imposed by the District/City and being requested to be collected by Placer County comply with all requirements of state law, including but not limited to Articles XIII C and XIII D of the California Constitution (Proposition 218).
3. The District/City releases and discharges County, and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County on the property tax roll of any taxes, assessments, fees and/or charges on behalf of District/City.
4. In consideration for the County's collection of the charge through the County's property tax roll, the District/City agrees to and shall defend, indemnify and hold harmless the County, its officers, agents and employees (the "Indemnified Parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of the collection by County of any of District's/City's said taxes, assessments, fees and/or charges requested to be collected by County for District/City, or in any

manner arising out of District's/City's establishment and imposition of said taxes, assessments, fees and/or charges. District/City agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of the collection of one of District's/City's taxes, assessments, fees and/or charges, the County may offset the amount of the judgment from any other monies collected by County on behalf of District/City, including property taxes.

5. The District/City agrees that its officers, agents and employees will cooperate with the County by responding to all inquiries referred to District/City by County from any person concerning the District's/City's taxes, assessments, fees and/or charges, and that District/City will not refer such persons to County officers and employees for response.
6. The District/City agrees to pay the County for the reasonable and ordinary charges to recoup its costs of placement and collection on the tax rolls at the agreed upon rate of 1% of the taxes, assessments, fees and/or charges, as provided by Government Code sections 29304 and 51800.

PASSED AND ADOPTED by District/City this _____ day of _____, 20____, by the following vote on roll call:

AYES

NOES

ABSENT

Keith Nesbitt, Mayor

ATTEST:

Joseph G. R. Labrie, City Clerk

Tax Roll Assessment for
Administrative Citation(s)

Exhibit "A"

<i>APN</i>	<i>SITE ADDRESS</i>	<i>VIOLATION</i>	<i>TOTAL FINE DUE</i>	<i>TAX CODE AREA</i>	<i>DISTRICT</i>
001-150-015-000	267 Live Oak Street	Building Code	\$353.10	60701	Auburn City
004-081-014-000	105 Terrace Street	Nuisance	\$353.10	60701	Auburn City
040-542-005-000	568 Sawka Drive	Garbage	\$588.50	60701	Auburn City
054-460-038-000	505 Barooshian Court	Garbage	\$353.10	60701	Auburn City
003-032-047-000	203,205,207 Electric Street	Building Code	\$1,883.20	60701	Auburn City
	TOTALS		\$3,531.00		